

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8977 of 2017

Arising Out of PS.Case No. -187 Year- 2015 Thana -MALAHI PS District- EASTCHAMPARAN
(MOTIHARI)

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1. Ranu Mishra @ Ranu Kumar Mishra, Son of Birendra Mishra,
2. Arbind Mishra @ Arbind Kumar Mishra, Son of Birendra Mishra,
3. Birendra Mishra, Son of Late Mohan Mishra,
All Resident of village - Khairwa Chaubey Tola, Police Station Malahi,
District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Madhurendra Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code registered in connection with Paharpur (Malahi) P.S. Case No. 187 of 2015.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties. The informant and petitioner no. 3 are own brothers and petitioner nos. 1 and 2 are sons of petitioner no. 3. Injuries sustained by the injured are simple in nature. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, East Champaran at Motihari in connection with Paharpur (Malahi) P.S. Case No. 187 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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